

REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office Action dated May 18, 2005 are respectfully requested. Claims 1, 12, 16, and 21 have been amended. Claims 2, 3, 7, 17 and 22 have been cancelled. By this response, claims 1, 4-6, 8-16 and 18-21 are currently pending in this application.

The applicant's representative wishes to thank Examiner Gauthier for the telephone interview of August 18, 2005. During the interview, the parties discussed the cited references, the independent claims, and embodiments of the invention. Further details regarding the substance of the interview may be found below. If the Examiner believes that any additional information regarding the interview is necessary, please the undersigned representative know.

Finality of Rejection Should be Withdrawn

The M.P.E.P § 706.07(a) states that "under present practice, second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement..." Applicants request the finality of rejection be withdrawn as amendments to the claims in the previous response did not necessitate the Examiner's new grounds of rejection.

For example, in applicant's previous response, amended claim 12 included the element of "automatically recognizing and extracting the electronic addresses from the received voice streams using automatic voice recognition during normal reception of the voice stream and not under a special mode and without activating a voice record function..." Claim 12 was amended as underlined. Applicant also presented arguments that the Examiner's rejection to claim 12 as being obvious over the Kitchings reference in view of the Agraharam reference was incorrect since the combined references did not

suggest or disclose, among other things, the element of "automatically recognizing and extracting the electronic addresses from the received voice streams."

In the current Office action, the Examiner admittedly withdraws the previous rejection of claim 12 (and the other pending claims) "in view of new ground(s) of rejection" and states that "applicant's amendment necessitated the new ground(s) of rejection presented in this Office action." Applicant respectfully disagrees. Referring to the current rejection of claim 12, for example, the Examiner combines the Murveit reference with the Kitchings reference because Kitchings "fails to disclose automatically identifying the voiced address information..." Therefore, the Examiner's new grounds of rejection were not necessitated by applicant's amendment, but instead were based on subject matter already present in the unamended claim.

Applicant contends elements of claim 12 rejected under new grounds were present in the originally filed claim 12 and therefore should have been covered in the Examiner's initial search of the original claims as filed. Since the finality of rejection of claim 12 is premature, the finality regarding the claim set is also premature, and applicant respectfully requests the finality of the rejection be withdrawn for at least the reasons stated above.

Even if Finality is not Withdrawn, Current Amendments Should be Entered

The proposed amendments do not raise any new issues that would require further consideration or search. For example, the amendment to claim 12 simply deletes language from the claim, while the amendment to claim 1 regarding "while the telephone call is ongoing" is similar to language in other claims, such as the language "under live telephone calls" in previously pending claim 12. Thus, even if the finality is not withdrawn, the present amendments should have been covered by any previous search, and thus would not require any additional search or corresponding consideration. Similarly, the proposed amendments should be entered because the amendments do not raise the issue of any new matter.

Moreover, the amendments may be considered to place the application in better form for appeal by simplifying the issues for appeal (such as by deleting alternate language in claim 12). Further, the amendment does not present additional claims without canceling a corresponding number of finally rejected claims.

Response to Claim Rejections

Embodiments of the invention will now be discussed, followed by a discussion of the applied references. Next, distinctions between the claims and the applied references are discussed.¹

Applicant's Technique

Embodiments of the invention are directed to a system that receives telephone calls or other continuous information streams, where these streams include spoken address information. The spoken address information can include various electronic addresses, such as telephone numbers, email addresses, Uniform Resource Identifiers (URI), and so forth. Thus, as opposed to existing "voice dial" systems, whereby a user of a mobile phone may enter a special mode and audibly voice commands including phone numbers, embodiments of the invention monitor an ongoing voice stream (live or recorded) to identify electronic addresses.

The Kitchings Reference

Kitchings is directed to a system that enables a user to record number and name information during an ongoing voice communication. In the system, a user activates a record function when a caller indicates they are about to give address information. See [0007]. After receiving the address information, the user stops recording. The system then

¹ Silence regarding a position taken by or argument made by the Examiner does not indicate any acquiescence to that position or argument. Furthermore, arguments made with respect to a particular claim or claims apply only to that claim or claims, and not to other claims, unless specifically noted herein.

may interpret and assign the recorded address information to a memory location for later use. See [0019].

The Murveit Reference

Murveit is directed to a technique for recognizing telephone numbers embedded in voice messages in a voice message system. In Murveit, a voice message stored in a voice message system is transferred to a voice recognition system. The system identifies segments of the message as numbers or other information based on a predetermined reference model, called a "grammar." Column 2, lines 5-25.

The Miner Reference

Miner is directed to a network based knowledge assistant that recognizes speech and performs functions within the familiar office model. The system of Miner employs a traditional voice interface like a "voice dial" system, whereby users can dial phone numbers and perform other actions using the voice interface. For example, users can create new contacts by copying them from an electronic phone book. A subscriber must add a voice identification to a phone book entry that is to be added to a contact list so that the new contact may be identified via the voice interface. Column 39, lines 43-47.

Importantly, whenever a caller calls into the system of Miner, the system enters a call handling mode or otherwise employs call handling functions using an "electronic assistant." Column 32, lines 1-20. The system attempts to recognize a database entry for the caller when the caller utters his or her name in response to a system inquiry. Column 7, lines 18-28. If the system cannot recognize the caller, for example, if there is no database entry, then the system actively solicits the caller to use DTMF push button entry to provide the caller's area code and phone number. Column 7, lines 29-36. If the system can still not identify the caller, then the caller is labeled as unknown. Column 7, lines 50-54. Thus, under the system of Miner, the caller's spoken name and phone number are already stored in the database, or the caller speaks his/her name and provides a phone

number via DTMF input. With an unknown caller, the system apparently appends the DTMF input as the enclosed contact. Column 33, lines 29-37.

The Agraharam Reference

Agraharam discloses a voice messaging system for converting oral messages into text. Agraharam allows a calling party to send an electronic mail message by first soliciting the caller to provide information in order to compose and transmit the email message. See [0013]. After soliciting the caller to provide an email address, the email address may be obtained by either having the calling party speak the email address, enter the email address using the telephone's keypad, or speaking the recipient's name and looking up the recipient's email address in a database. See [0014] and [0015]. In either case, Agraharam specifically requires the system to actively solicit the user for either spoken or keypad input. Thus, as with the system of Agraharam employs a special, active mode for processing a spoken message that engages a caller via a voice interface or audible menu of choices.

Rejections under 35 U.S.C § 103

A. Independent claims 1 and 21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application 2003/0190020 to Kitchings in view of U.S. Patent No. 6,750,964 to Murveit et al.

Amended claims 1 and 21 recite a method for automatically connecting to electronic addresses, including the feature of "automatically identifying the voiced address information while the telephone call is ongoing." The claims have also further been amended to incorporate the subject matter of claim 3 in order to more clearly define the invention, including the elements of "generating an electronic message including the extracted voiced address information, forwarding the electronic message among at least one location pre-specified by a user, and extracting the voiced address information from the electronic message following receipt at the at least one location." The Examiner states

that Kitchings fails to disclose automatically identifying the voiced address information, and relies on Murveit to provide this element. Applicants respectfully disagree.

As discussed above, Murveit is directed to a technique for recognizing telephone numbers embedded in voice messages in a voice message system. The system of Murveit works with a voice message system that provides voice messages to a voice recognition system which can then extract spoken information. See column 4, lines 48-67. Murveit does not discuss automatically identifying address information during a telephone call, but instead the system deciphers information from voice messages. While the system of Murveit would enhance the information extraction abilities of Kitchings, the system of Kitchings still would need to rely on user activation of a record function, as Murveit is directed to information extraction techniques, and not when the techniques are applied. Neither reference provides for **automatic** identification of voiced address information.

The combination of Kitchings in view of Murveit does not teach or suggest automatically identifying voiced address information while the telephone call is ongoing, and therefore does not teach all the elements recited in claims 1 or 21. For at least these reasons, applicants request the rejection of claims 1 and 21 be withdrawn.

B. Independent claims 12, 19 and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application 2003/0190020 to Kitchings in view of U.S. Patent No. 6,750,964 to Murveit et al., and further in view of U.S. Patent Application No. 2004/0062365 to Agraharam et al.

Amended claims 12 and 19 are directed to a method for automatically connecting to electronic addresses in voice streams, including the step of "automatically recognizing and extracting the electronic addresses from the received voice streams," wherein the voice streams are at least "provided under live telephone calls."

The Examiner relies on the combination of Kitchings in view of Murveit to provide all the elements of claims 12 or 19. However, as discussed above, neither Kitchings nor

Murveit discuss or suggest the step of automatically recognizing and extracting electronic addresses under live telephone calls. Agraharam also does not provide this feature.

Therefore, the combination of Kitchings in view of Murveit and further in view of Agraharam does not teach all the elements recited in the claims. For at least these reasons, applicants request the rejection of claims 12 and 19 be withdrawn.

Claim 22 has been cancelled to expedite prosecution of the application.

C. Independent claim 13 stands rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,652,789 to Miner et al. in view of U.S. Patent No. 6,750,964 to Murveit et al.

Claim 13 recites a communications system including the element of "a recognition and connection system" supporting "voice recognition analysis on live calls and recorded information" wherein the voice recognition analysis includes "automatically identifying spoken address information of at least one voice stream." The Examiner states that Miner fails to disclose automatically identifying the voiced address information, and relies on Murveit to provide this element. Applicants respectfully disagree.

As discussed with respect to claims 1 and 21, Murveit is directed to a technique for recognizing telephone numbers embedded in voice messages in a voice message system. The system of Murveit works with a voice message system that provides voice messages to a voice recognition system which can then extract spoken information. See column 4, lines 48-67. Murveit does not discuss automatically identifying address information during a telephone call, but instead the system deciphers information from voice messages. While it is possible the system of Murveit could enhance the voice recognition abilities of Miner, the system of Miner still would need to rely on the active solicitation of voiced information from a caller (discussed above), as Murveit is directed to information extraction techniques, and not when the techniques are applied. Again, neither reference provides for **automatic** identification of voiced address information.

Therefore, the combination of Miner in view of Murveit does not teach all the elements recited in the claim. For at least these reasons, applicants request the rejection of claims 13 be withdrawn.

D. Independent claim 16 stands rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application 2003/0190020 to Kitchings in view of U.S. Patent No. 6,750,964 to Murveit et al., and further in view of U.S. Patent No. 5,652,789 to Miner et al.

Amended claim 16 is directed to a portable telephone system that automatically couples to electronic addresses, the being configurable to, among other things, "analyze in real time received substantially continuous verbal data," and "automatically identify spoken address information."

As discussed above, neither Kitchings, Murveit, nor Miner, alone or in combination, disclose or suggest the ability to automatically identify spoken address information in real time.

Therefore, the combination of Kitchings in view of Murveit and further in view of Miner does not teach all the elements recited in the claim. For at least these reasons, applicants request the rejection of claims 16 be withdrawn.

E. Dependent claims 2, 3, 7 and 17 have been cancelled to expedite prosecution of the application. Claims 3-6, 8-11, 14, 15, 18, and 20 are dependent claims and are therefore allowable for all the reasons discussed above with respect to the claims from which they depend.

Conclusion

Overall, the applicant respectfully submits that independent claims 1, 12, 13, 16, 19 and 21 are patentable over the applied references. Since these independent claims are


allowable, based on at least the above reasons, the claims that depend from them are likewise allowable. If the undersigned attorney has overlooked a relevant teaching in any of the references, Examiner Gauthier is requested to point out specifically where such teaching may be found.

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If Examiner Gauthier has any questions or believes a telephone conference would expedite prosecution of this application, he is encouraged to call the undersigned at (206) 359-3090.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 101948002US from which the undersigned is authorized to draw.

Dated: August 18, 2005

Respectfully submitted,

By 
Michael J. Smith
Registration No.: 56,702
PERKINS COIE LLP/CW
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Representative for Applicant